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IFWPractitioner's Docket No. P-1105**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: Udo SkerdiApplication No.: 10 / 009,537Group No.: 3641Filed: March 12, 2002Examiner: Edward A. MillerFor: EXOTHERMAL FEEDER MASSConfirmation No.: 4019

Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

STATUS INQUIRY

WARNING: Submission of a status letter after a Notice of Allowance may subject an application to a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

1. More than 6 months have passed since the communication from the USPTO dated 04/22/04, which suspended prosecution for six months, see attached communication.

☒ NEW APPLICATIONS

the filing of this application on _____

No communication has been received from the Patent and Trademark Office indicating action on this application.

☐ AMENDED APPLICATIONS

the filing of a response on _____

No further communication has been received from the Patent and Trademark Office.

☐ APPEALED APPLICATION

The Appeal Brief was filed on _____

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Holly Hart
Signature

Date: October 25, 2004Holly Hart

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(check and complete applicable items below)

☐ An Examiner's Answer was mailed on _____.

☐ A Reply to the Examiner's Answer was submitted on _____.

☐ ALLOWED APPLICATIONS

the mailing of FORM POL-327 and/or Examiner's Amendment on _____.

2. Kindly advise the undersigned of the present status of this application, by checking the appropriate box below. A stamped return-addressed envelope is provided.

NOTE: M.P.E.P. § 203.08 Status Inquiries, 8th Edition, cautions as to the submission of status inquiries as follows:

"NEW APPLICATION

"Current examining procedures now provide for the routine mailing from the Technology Centers (TCs) of Form PTOL-37 in every case of allowance of an application. Thus, the mailing of a form PTOL-37 in addition to a formal Notice of Allowance (PTOL-85) in all allowed applications would seem to obviate the need for status inquiries even as a precautionary measure where the applicant may believe his or her new application may have been passed to issue on the first examination. However, as an exception, a status inquiry would be appropriate where a Notice of Allowance is not received within three months from receipt of form PTOL-37.

"Current examining procedures also aim to minimize the spread in dates among the various examiner dockets of each art unit and TC with respect to actions on new applications. Accordingly, the dates of the "oldest new applications" appearing in the Official Gazette are fairly reliable guides as to the expected time frames of when the examiners reach the applications or action.

"Therefore, it should be rarely necessary to query the status of a new application.

"AMENDED APPLICATIONS

"Amended applications are expected to be taken up by the examiner and an action completed within two months of the date the examiner receives the application. Accordingly, a status inquiry is not in order after reply by the attorney until 5 or 6 months have elapsed with no response from the Office. A postcard receipt for replies to Office actions, adequately and specifically identifying the papers filed, will be considered prima facie proof of receipt of such papers. Where such proof indicates the timely filing of a reply, the submission of a copy of the postcard with a copy of the reply will ordinarily obviate the need for a petition to revive. Proof of receipt of a timely reply to a final action will obviate the need for a petition to revive only if the reply was in compliance with 37 CFR 1.113."

Reg. No.: 31,945

Tel. No.: (502) 589-4215

Customer No.:



SIGNATURE OF PRACTITIONER

Scott R. Cox

(type or print name of practitioner)

400 West Market St., Ste. 2200

P.O. Address

Louisville, Kentucky 40202

(Status Inquiry [9-3]—page 2 of 3)

STATUS INQUIRY REPLY

APPLICATION SERIAL NO. 0 / _____ IS CURRENTLY

- ☐ ASSIGNED TO GROUP _____ AND AWAITS:
- ☐ ACTION BY THE EXAMINER.
- ☐ APPLICANT'S RESPONSE TO THE OFFICE ACTION MAILED
- _____
- _____

APPEAL NO. _____

- ☐ IS AWAITING ACTION BY THE BOARD OF PATENT APPEALS AND INTERFERENCES
- ☐ DATE OF HEARING EXPECTED _____ .
- ☐ DECISION EXPECTED _____ .



UNITED STATES PATENT AND TRADEMARK OFFICE

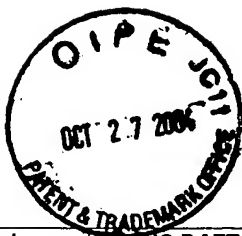
UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/009,537 | 03/12/2002 | Edo Skerdi | P-1105 | 4019 |
| 7590 04/22/2004 | | | | |
| Scott R Cox Lynch Cox Gilman & Mahan 400 West Market Street Suite 2200 Louisville, KY 40202 | | | | |
| OCT 27 2004 | | | | |
| EXAMINER | | | | |
| MILLER, EDWARD A | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3641 | | | | |

DATE MAILED: 04/22/2004

114

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

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| | | | |
|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

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| EXAMINER |
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| ART UNIT | PAPER |
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04192004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See next page.

Application/Control Number: 10/009,537
Art Unit: 3641



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1. An issue relating to PCT rules relevant to the examination of this application requires clarification by the PCT branch of the USPTO. Therefore, *Ex parte* prosecution is SUSPENDED FOR A PERIOD OF 6 MONTHS from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

2. Any inquiry concerning either this or an earlier communication from the Examiner should be directed to Examiner Edward A. Miller at (703) 306-4163. Examiner Miller may normally be reached Monday-Thursday, from 10 AM to 7 PM.

If attempts to reach Examiner Miller by telephone are unsuccessful, his supervisor Mr. Carone can be reached at (703) 306-4198.

If there is no answer, or for any inquiry of a general nature or relating to the application status, please call the Group receptionist at (703) 308-1113.

Miller/em
April 19, 2004

A handwritten signature in black ink, appearing to read "Edward A. Miller".

EDWARD A. MILLER
PRIMARY EXAMINER

**Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01**



The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.